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DEPARTMENT FOR NEA/ARP, CA/VO, AND L

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SUBJECT: MFA MINSTATE GARGASH ON KEY ISSUES IB US-UAE BILATERAL
RELATIONSHIP on Key ISSUES IN US-UAE BILATERAL RELATIONSHIP.

REFS: A) ABU DHABI 571, B) ABU DHABI 304, C) ABU DHABI 044

1. (SBU) Summary: During a 28 September meeting at which Ambassador presented copies of his credentials, MinState for Foreign Affairs Dr. Anwar Gargash outlined two key areas for the Ambassador to focus on in the bilateral relationship: visas and MLAT negotiations. Both agreed that the overall relationship was in good shape, especially on key political issues, as reflected in the intensity and frequency of interchanges between senior leadership. End summary.

Visas

2. (SBU) Gargash said Emiratis were increasingly resentful of difficulties faced in getting visas from the US and "several other" Embassies. This was a sensitive issue because it has an emotional aspect. Gargash expressed the Emirati perception that "out of 1000 visa applicants, perhaps 50 are Emirati and may get lost in the process." (Note: UAE nationals represent approximately 20 percent of our mission-wide non-immigrant visa workload. At Embassy Abu Dhabi, Emiratis make up almost half of our workload. End note.) Gargash urged Ambassador to conduct a "review" of visa issuing procedures.

3. (SBU) Ambassador replied that the US was committed to maintaining America's openness to foreign visitors, while protecting our security. Ambassador said he had personally heard from senior State Department leadership about the importance of this issue. Moreover, the numbers have improved since the dark days after 9/11; this year the Embassy was likely to issue more F-1 visas than in any year since 2001. This suggested part of the problem was one of outreach, and the Ambassador pledged to make greater efforts to explain to Emiratis what the USG had done on visa policy.

Legal Agreements

4. (SBU) Gargash said that the UAE wanted to consolidate the legal basis for its relationship with the US by concluding three basic agreements: an MLAT (Mutual Legal Assistance Treaty), an Extradition Treaty, and a Treaty on Judicial Cooperation in Civil and Commercial Matters. Moreover, the UAE wanted to treat the three treaties as a package and negotiate them at once. Ambassador pointed out that there were certain challenges with an extradition treaty, since our understanding is that the UAE does not allow extradition of its own nationals, thereby reducing the utility of the treaty to the U.S.

Comment

5. (SBU) Both of these issues were also on Foreign Minister

Abdullah bin Zayed's list when he outlined his priorities just before the President's visit in January (ref C). Visas are a perennial MFA complaint, with one MFA officer last week asking why the Embassy did not have a "walk in" window for Emirati applicants. The complaints tend to be related to appointments not being immediate and delayed processing in cases requiring Security Advisory Opinions (SAOs). In many cases requiring SAOs, delays now stretch beyond 100 days. Many, if not most, official and ruling family Emirati travelers (and many senior business travelers) seek and receive "B referral" assistance with expedited appointments, particularly in Dubai. SAO delays, however, frequently undermine any goodwill such assistance may generate. MFA clearly faces pressure from throughout Emirati society to address this irritant, which has also been the topic of discussion at the Federal National Council and to some degree in the local press.

¶6. (SBU) Comment continued: Refs A and B address the lingering MLAT discussion. The lack of an MLAT seriously hampers the work of our law enforcement agencies in the UAE and frankly inhibits counter terrorism cooperation. In our view, making progress on the MLAT is worth at least starting a frank discussion on the package, in hopes of either moving towards formal negotiations or at some point discovering an alternative to the package approach. The MoJ has expressed frustration that, by not talking, our negotiators are not even sure what issues divide them. End comment.

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